

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administrated)

Hearing Date: March 25, 2025, at 10:00 a.m. (ET)

**VARIETY STORES, LLC’S WITNESS AND EXHIBIT LIST FOR
HEARING ON MARCH 25, 2025, AT 10:00 A.M.**

Variety Stores, LLC (“Variety”), hereby submits this witness and exhibit list (the “Witness and Exhibit List”) for the hearing (the “Hearing”) scheduled for **March 25, 2025, at 10:00 a.m. (ET)** before the Honorable J. Kate Stickles regarding, in relevant part, the *Notice of Fifth Post-Closing Designation Notice* [D.I. 1923], filed pursuant to the terms of the *Order (I) Approving the Asset Purchase Agreement, (II) Authorizing and Approving the Sale of Certain of the Debtors’ Assets Free and Clear of All Claims, Liens, Rights, Interests, Encumbrances, and other Assumed Liabilities and Permitted Encumbrances, (III) Authorizing and Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief* [D.I. 1556], and pending objections thereto.²

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

² These objections include, but are not limited to, the objections filed at D.I. 2001, 2003, 2011, 2015, 2016, 2017, and 2332.

WITNESSES

Variety may call the following witnesses at the Hearing:

1. Thomas Stoltz, Executive Vice President and Chief Financial Officer of Variety Wholesalers, Inc. and Variety Stores, LLC;
2. Any witness identified or called by any other party;
3. Any rebuttal witness, as necessary or as Variety determines to be desirable; and
4. Variety reserves the right to cross-examine any witness called by another party.

EXHIBITS

Variety designates the following exhibits that may be used and offered into evidence at the Hearing:

<u>EX NO.</u>	<u>DESCRIPTION</u>
V1	Lease Agreement dated February 6, 1997 for Big Lots Store No. 560, in Brandon, Florida, and all amendments, extensions, modifications, options, and renewals
V2	February 13, 2025 Email to Landlord Counsel for Brandon, FL, Marietta, OH, Grove City, OH, and Lancaster, OH with Adequate Assurance Package and Guaranty, and attachments
V3	March 22, 2025 Email to Landlord Counsel for Brandon, FL, Marietta, OH, Grove City, OH, and Lancaster, OH with Revised Guaranty, and attachments
V4	Lease Agreement dated January 20, 1993 for Big Lots Store No. 451, in Grove City, Ohio, and all amendments, extensions, modifications, options, renewals, assignments, and agreements
V5	Lease Agreement dated June 22, 2018 for Big Lots Store No. 5380, in Marietta, Ohio
V6	Lease Agreement for Big Lots Store No. 5448, in Lancaster, Ohio
V7	Lease Agreement executed June 6, 2020 for Big Lots Store No. 5432, in Shelby, North Carolina, and all amendments thereto
V8	Lease dated April 25, 1994 for Big Lots Store No. 541, in Fort Myers, FL, and all amendments, extensions, modifications, options, and renewals
V9	Declaration of Thomas Stoltz, Executive Vice President and Chief Financial Officer of Variety Wholesalers, Inc.
V10	Notice of Fifth Post-Closing Designation Notice ("Designation Notice") [D.I. 1923]

V11	Affidavit of Service of Designation Notice [D.I. 2032]
V12	Affidavit of Service of Adequate Assurance of Future Performance Pursuant to 11 U.S.C. § 365(f)(2)(B) [D.I. 2049]
	Any document or pleading filed in the above-captioned cases.
	Any hearing transcript from hearings held in the above-captioned cases.
	Any exhibit necessary for impeachment and/or rebuttal purposes.
	Any exhibit identified or offered by any other party.

RESERVATION OF RIGHTS

Variety reserves the right to amend and/or supplement this Witness and Exhibit List at any time prior to the Hearing and add witnesses and/or exhibits, as applicable. Variety further reserves the right to (i) ask the Court to take judicial notice of pleadings, transcripts, and/or documents filed in, or in connection with, the above-captioned chapter 11 cases, or any publicly available documents; (ii) use additional exhibits for purposes of rebuttal or impeachment and to further supplement the foregoing Witness and Exhibit List; and (iii) cross-examine any witness called by any other party at the Hearing. Designation of any exhibit on the above list does not waive any objections that Variety may have to any exhibit listed on any other party's exhibit list.

COZEN O'CONNOR

Dated: March 23, 2025

/s/ Marla S. Benedek
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